

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **CV 18-8158-DMG (SKx)** Date February 4, 2019

Title ***Mohammed Shams v. CVS Health Corporation, et al.*** Page 1 of 1

Present: The Honorable **DOLLY M. GEE, UNITED STATES DISTRICT JUDGE**

KANE TIEN

Deputy Clerk

NOT REPORTED

Court Reporter

Attorneys Present for Plaintiff(s)
None Present

Attorneys Present for Defendant(s)
None Present

Proceedings: IN CHAMBERS - ORDER RE JOINT RULE 26(F) REPORT [21]

On August 16, 2018, Plaintiff Mohammed Shams filed a Complaint against Defendants CVS Health Corporation and CVS Pharmacy, Inc. in Los Angeles County Superior Court, alleging certain wage and hour and discrimination claims arising under state law. Removal Notice, Ex. A at 5–25 [Doc. # 1-1].¹ On September 20, 2018, Defendants removed the action, invoking this Court’s diversity jurisdiction under 28 U.S.C. section 1332. Removal Notice at 1–13 [Doc. # 1]. On October 22, 2018, Plaintiff filed a Motion to Remand [Doc. # 12], which is currently scheduled for a hearing on February 8, 2019 at 9:30 a.m. [Doc. # 16.] The Court set a Scheduling Conference for that same date and time. *Id.* at 2. On February 1, 2019, the parties filed a Joint Rule 26(f) Report, wherein the Defendants represent that the parties are in the process of “meeting and conferring pursuant to Local Rule 7-3” to ascertain whether Plaintiff will agree to submit his claims to binding arbitration. [Doc. # 21.]

In light of the parties’ ongoing discussions regarding whether this Court is the appropriate forum for the instant dispute and to conserve judicial resources, the Court takes Plaintiff’s Motion to Remand under submission and **VACATES** the February 8, 2019 motion hearing and Scheduling Conference. **By February 11, 2019**, the parties shall file a joint status report regarding whether Plaintiff has agreed to submit his claims to binding arbitration. If such an agreement has been reached, then the joint status report shall be accompanied by a notice of withdrawal of Plaintiff’s Motion to Remand, along with a proposed order staying this action pending the arbitration. If necessary, the Court will issue a Scheduling and Case Management Order after the parties file their joint status report.

IT IS SO ORDERED.

¹ All page references herein are to page numbers inserted by the CM/ECF system.